

Remarks and Arguments

In the Office Action, the examiner rejected claim 23 under 35 U.S.C. § 102(b) as being anticipated by Mathieu et al (U.S. Patent No. 4,526,242). In addition, the examiner objected to claims 24 and 25 as being dependent upon rejected claim 23.

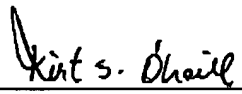
Applicant respectfully submits amended claim 24 rewritten in independent form per the examiner's suggestion. Claims 24 and 25 are no longer dependent upon a rejected claim and should now be allowable.

In addition, claim 23 is cancelled and claim 42 is added. New claim 42 avoids the Mathieu '242 prior art by reciting a barrel portion that is adapted to receive cuttings in laterally-spaced relation to the downhole hammer drill. Cuttings in Mathieu's device are collected and stored above the downhole drill, causing the overall height of the barrel to be extended. See Figs. 1 and 2. Applicant's barrel has a clear advantage over Mathieu because it is capable of receiving the cuttings while avoiding the numerous problems associated with unnecessarily increasing the overall height of the barrel.

Dependent claims 43 and 44 have been added as well.

The Commissioner is hereby authorized to withdraw the filing fee in the amount of \$70.00 for the additional claims from Deposit Account No. 01-0477.

Respectfully submitted,



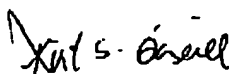
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Date: June 1, 2004

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